

Marriage Equality and Health Coverage Options Under the Affordable Care Act

The Illinois Religious Freedom and Marriage Fairness Act has gone into effect statewide, giving all Illinois couples, regardless of sex, the right to marry. This includes equal access to quality, affordable health coverage. Under the Affordable Care Act, all insurance companies are required to offer the same health coverage to same-sex spouses as they do for opposite-sex spouses. This means that in Illinois, married same-sex couples and their children can now enroll in a plan together and can receive financial help paying for coverage on the Marketplace.

Can my spouse and I apply for Marketplace or Medicaid coverage jointly if we are in a same-sex marriage?

Yes. Generally, the Marketplace and Medicaid use tax filing rules to determine households and the amount of financial help available to lower the cost of your health coverage. You must agree to file taxes jointly and report your joint income to be eligible for financial help on the Marketplace or to apply for Medicaid.

If you are currently enrolled in a health plan, look at your options and update your information before you make changes to your coverage to make sure you are getting the best plan and the right amount of financial help.

Can my partner and I apply for Marketplace or Medicaid coverage jointly if we are in a civil union?

No. The federal law does not recognize individuals in civil unions as married for federal tax purposes, and that means a civil union partner is not considered a “spouse” when determining your eligibility for financial help on the Marketplace or Medicaid. You should file separate applications for Medicaid or Marketplace coverage to be considered for financial help, just like you do when you file your taxes.

Can my partner and I make changes to our coverage outside of the Open Enrollment Period?

Yes. If you experience certain life changes, like a marriage, you may be able to enroll in a health plan outside of the Open Enrollment Period. This is called a Special Enrollment Period (SEP) and it allows you up to 60 days to enroll in a plan or update your current coverage from the time of the marriage or other “Qualifying Life Event.” Changes to your current plan can include things like adding your spouse and their children, changing insurance companies and the amount of financial help available.

Learn more about Special Enrollment Periods at [GetCoveredIllinois.gov/Special-Enrollment-Periods](https://www.getcoveredillinois.gov/Special-Enrollment-Periods).

Can my partner and I apply for coverage jointly if we convert our civil union to a marriage?

Yes. Effective June 1, 2014 to June 1, 2015, you will be able to convert your civil union to a marriage and make your marriage date retroactive to the date of the civil union. If you are applying for coverage through a SEP be sure to use the date your civil union was converted to a marriage. This will allow you up to 60 days to update or change your coverage.

Can my partner be covered under the plan I have through my employer if I am in a same-sex marriage?

Yes. If an employer offers health benefits for spouses, the Affordable Care Act requires employers to offer the same health benefits to all married couples, regardless of sex. Additionally, Illinois state law requires that civil union partners also be offered the same health benefits as married spouses. You can add your spouse or civil union partner to your employer's health insurance plan during Open Enrollment, during a 30-day SEP after the marriage or civil union becomes effective, or if your spouse or partner loses other coverage.